

REMARKS

The application has been amended and is believed to be in condition for allowance.

Claims 1-2 and 9-13 are pending. New claim 13 is based on recitations taken from claim 1.

The independent claims have been amended to structurally recite features of the invention the Official Action indicated were previously given no patentable weight. As recited, the features pertain to the resulting structure and therefore are due patentable weight. For example, the independent claims recite that the recess (15) is a deformation recess on the rear side of the transverse element, the rear side being deformed to such an extent that the projection (14) is formed on the front side of the transverse element from displaced deformation material forming the recess (claim 1). The other independent claims are similar. Also, see that the claims recite the elements as single pieces of material, e.g., cut material per claim 1.

For support of these recitations see at least specification page 1, lines 23-27, and prior claim 8.

There are no formal matters outstanding.

The Official Action rejected claims 1, 2, 8, 10 and 12 under §103 as obvious over MASUDA et al. 5,169,369 in view of TAKAGI (JP-1-247841).

The Official Action rejected claims 9 and 11 under §103 as obvious over MASUDA et al. in view of TAKAGI and in further view of MARUYAMA (EP-421804).

Given the new recitations of the nature of the elements, specifically the structural description of the recess and projection, the obviousness rejections are not believed to be viable.

Even though the method of manufacture is not considered in a device/article claim, structural features that are identifiable as resulting from that manufacture can reasonably be recited and are then due consideration. Such is the case of the present invention where applicants improve on the prior art by devising elements that can be cut (stamped) from a strip of material, i.e., the elements are single cut pieces.

In such cut pieces, the specification details the difficulty of providing a projection in the middle part of the element. This problem is also present in the various embodiments of MASUDA et al.

Applicants overcome this difficulty by forming a deformation recess on the rear side of the transverse element, the rear side being deformed to such an extent that the projection (14) is formed on the front side of the transverse element from displaced deformation material forming the recess (claim 1). The deformation recess is over the entire width of

the second part (claim 12) and the projection is formed of the displaced deformation material.

This solution/structure is not taught by the applied references, either individually or in combination.

Further, TAKAGI would not be considered by one of skill as to the MASUDA et al. device:

TAKAGI relates to a different type of drive belt that is set apart by the feature that the projection and recess thereof interlock in a longitudinal direction; this would not be used in MASUDA et al.;

TAKAGI requires the recess extend over the entire width of the element to permit assembly of the elements together; MASUDA et al. do not have this problem and there would be no reason to incorporate such a recess absent motivation;

TAKAGI does not teach structure/method for cut elements with a deformed recess/projection pair as TAKAGI's elements are formed of an entirely different methodology; and

TAKAGI is directed to a pulling function whereas MASUDA et al. is a push belt where longitudinally interlocking projections can not stand the high forces in push belt applications without a high volume of material being applied for supporting the projections; this would not satisfy the amended claims and is contradictory to push belt design being concerned with centrifugal force caused by the weight of the elements,

especially at high rotational speeds, reducing the amount of tensile force left over in the tensile means for transferring traction force.

Applicants respectfully suggest that TAKAGI is being used only through impressible hindsight. Reconsideration and withdrawal of TAKAGI are respectfully requested.

Even considering the combination of MASUDA et al. and TAKAGI, there is not suggested the newly amended claims.

TAKAGI does not lead a MASUDA et al. artisan to extend the recess across the entire width of the second section. The structure of TAKAGI would not lead to a deformed recess/projection pair but to an interlocking recess and projection which would add weight to the element. The additional weight gained from the TAKAGI design would be counterproductive and would be avoided absent a strong positive gain "outweighing" the weight increase.

For at least these reasons, the obviousness rejections are not believed to be viable.

Accordingly, reconsideration and allowance of all claims are respectfully requested. The dependent claims are believed to be allowable at least for depending from an allowable independent claim.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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